

Policy Title:	Flexible Working Policy
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Member of Staff Responsible:	Chief Executive Officer
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1.1	16/03/2026	Amendment to Introduction
1.2		
1.3		
1.4		

**Primitas Learning Partnership promotes the safeguarding and welfare of all children in its care;
all policies are developed and formulated with this in mind**

FLEXIBLE WORKING POLICY

Introduction

All employees have the legal right to request flexible working, from day one of their employment at Primitas Learning Partnership.

The Flexible Working legislation gives all employees the opportunity to apply for a temporary or permanent change of working pattern, at any stage of their career, and regardless of their personal reasons for making the request.

Whilst there is no automatic right to work flexibly, this policy provides a fair and consistent basis for making applications so that requests should not be refused unless they have a clear, detrimental impact on the business.

The aim of the policy is to help employees achieve a good balance between their work and their lives outside of work, and to enable Primitas Learning Partnership to retain skilled employees.

Who the Policy Covers

The policy applies to all employees including temporary, fixed term, apprentices, casual worker and agency workers.

This procedure does not form part of your contract of employment and may be varied from time to time. The procedure does not apply once you have left Primitas Learning Partnership.

Any reference to manager should be determined in reference to the Trust's Scheme of Delegation, in most instances this will be the Headteacher of the school that the employee making the request is employed.

Policy Provisions

There are six main work patterns to choose from, but employees may also combine different options and suggest their own alternatives. By definition, term-time working and job sharing are always coupled with reduced hours:

- **Reduced Hours** - working less than a full time schedule with corresponding adjustment to pay and benefits.
- **Term-Time Working** - working annual hours during school term times only.
- **Job Sharing** - two employees sharing the duties of a full time position with a corresponding adjustment to pay and benefits. Job share partners must carry comparable responsibilities if the grade of each person is to be maintained.
- **Variable Hours/Flexitime** - selecting different start and finish times, within agreed limits, from the standard ones in a service area.
- **Compressed Hours** - working a full time week in fewer than five days. Employees working this type of arrangement must ensure their health and safety is not compromised by working long hours without adequate breaks, or by working alone in potentially dangerous situations.
- **Office-Based Homeworking** - where the permanent workplace is a Trust School or Central Office, although the employee may work a fixed part of the week from home. No annual allowance will be made to cover costs of a home being used as an occasional place of work.

Guiding Principles

The following guiding principles will apply:

Equitable and Fair – We are committed to equality and diversity and will make reasonable adjustments to the application of this policy and procedure in line with our equal opportunities commitment.

Consistent and Objective – All managers have a duty to ensure that they and all of the colleagues they are responsible for are aware of, and comply with, the organisation's policies and procedures.

Merit Principle – All flexible working requests will be given serious and careful consideration and a decision will be made on the merits of each case taking into account all the circumstances of the employee and the needs of the organisation.

Timescales – Requests made under this policy should be dealt with in a reasonable timely manner as set out in the applicable legislation and detailed in The Decision section. The timescales set out in the procedure may be varied by agreement of the relevant parties.

Link with Other Policies and Procedures

Sickness Absence Policy - Where you are absent due to sickness whilst a flexible working request is pending, the managing attendance at work procedure will apply as normal.

As appropriate, we will arrange for you to see Occupational Health for them to assess your health generally and whether or not you are fit to participate in these procedures. Being absent from work due to sickness will not automatically stop the procedure progressing.

During periods of long-term sickness, the decision about the flexible working request will need to be made close to your return to work, once a return date has been confirmed.

Contractual Options

In most cases flexible working arrangements are agreed at the outset as permanent changes. In some cases, however, the employee may want a trial period before making a long-term commitment, or a manager may suggest a trial period where the likely business impacts of a proposed working pattern are unclear.

There may be occasions where an employee only needs flexibility for a defined period, in which case a temporary fixed term arrangement may be put in place. There are therefore, three contractual options:

- Permanent change to terms and conditions of employment.
- Fixed period change in working pattern of between one and six months, after which time the employee can either return to their previous hours/pattern or apply for a permanent flexible working pattern.
- Trial of a new working pattern of between one and three months, after which the working pattern will either end or continue as a permanent contractual change.

Making An Application

In order to comply with statutory provisions, all flexible working requests must be made in writing to the employees Headteacher using the Flexible Working Application Form in Appendix A. The form must be completed in full, signed, dated and submitted to the Headteacher. The application must state:

- That it is a formal application to apply for flexible working to change their work pattern/location.
- The change applied for eg change to working hours, days, etc
- The date on which they want the change to take place.
- Whether they have made a previous application and, if so, when. (An employee cannot submit a flexible working request if you have made two previous requests within the previous 12 months).

On receipt of the Flexible Working Application Form, the Headteacher will meet with the employee to discuss the application in more detail. If the employee cannot attend the meeting they should contact their Headteacher immediately and give reasons. The meeting will be rearranged. If the employee fails to attend the rearranged meeting without good cause the Headteacher will treat the employee's application as having been withdrawn.

The purpose of the meeting is to find out more about the proposed changes to working arrangements and how they could benefit both the employee and the school.

The Headteacher will ensure that the employee is written to and either:

- inform the employee that their request has been approved and state the contract variation agreed to and the date from which it will take effect. At this point the process is complete; or
- arrange a further meeting with the employee to discuss their request.

Where an employee wishes to withdraw a request after it has been submitted, they may do so, in writing.

An employee cannot submit a flexible working request if they have made two previous requests within the previous 12 months.

All requests will be dealt with within two months from first receipt of the application form to notification of the decision on appeal. With this in mind, the Headteacher should hold the initial meeting without unreasonable delay to enable notification of the outcome and any appeal to take place within the prescribed timescale.

The Decision

The employee must be told of the decision in writing within 14 calendar days of the meeting. If a request is granted the Headteacher should ensure any necessary changes are made to the employee's payroll record, including where applicable the issuing of a new statement of employment particulars.

If a trial period is necessary to assess whether the proposed new arrangements would work or not, the employee needs to be informed of the decision. The decision must not only state the period of the trial but also why the request has not been accepted at this stage. If the employee refuses to accept a trial period they still have a right of appeal.

Sometimes it may be necessary to turn down or postpone a request.

Whatever the reason for refusing a request, the Headteacher should keep a record of the date, reason and circumstances of the refusal on file so that it can be reviewed at a later date. If the employee's request is declined, the letter must give reasons for the refusal, set out the appeal process and give them a timescale after which a new request can be considered.

A request to work flexibly should not be declined unless there is a detrimental business impact and after all options of finding a mutually agreed solution have been explored. This includes investigating all feasible options other than the working pattern originally proposed. A decline can only be justified if one or more of the following detrimental business impacts are identified:

- Additional costs which are excessive
- Detrimental effect on ability to meet customer demand
- Inability to reorganise work amongst existing staff
- Inability to recruit additional staff
- Detrimental impact on quality of work produced or the employee's normal performance standards
- Insufficient work for the periods the employee proposes to work
- Planned structural changes that have already been announced
- A request for homeworking that will result in excessive additional cost or infringes on other regulatory obligations, e.g. data protection.

All cases will be considered on a case-by-case basis – agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

Trial Period

A trial period may be agreed to determine whether the working arrangement will work in practice and whether it creates any challenges for the organisation. The Headteacher must notify the employee of the final decision within two months of the request for flexible working, unless an extension to the statutory time limited is agreed with the employee.

The terms of the trial period should be set out in writing including the start and end date of the trial period (including the right for the organisation to shorten or lengthen the trial period) and the changes that have been agreed. It should record that the organisation reserves the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement. Any specific conditions of the trial period should also be specified. The document should be signed by both parties.

Extension of Time

There may be occasions when it is necessary to seek to extend the time limit for any part of the process eg to give the employee a trial period on the flexible working arrangements. Headteachers must obtain the agreement of the employee in writing.

Other Considerations

The employee must be aware that any change in contract such as a reduction in hours or reallocation of duties, as a result of a successful application could impact upon pension. The employee should contact the Pensions team for employees in the Local Government Scheme or the Teacher Pensions team for employees in the Teachers' Pension Scheme for further information and advice.

The Headteacher, in conjunction with the employee, should discuss the management of health and safety when agreeing flexible/homeworking arrangements and document how any hazards identified are to be controlled within a risk assessment.

Right to be Accompanied

Employees do not have a statutory right to be accompanied by a trade union representative under Flexible Working legislation. However, the organisation does allow employees to be accompanied by a trade union representative or work colleague at meetings under this policy. If an employee's chosen companion is not available at the time proposed for the meeting or hearing, a mutually convenient time should be arranged within 5 working days of the original date. Employees do not have the right to be accompanied by anyone else such as a spouse, partner, other family member or legal representative.

It is advised to consider allowing employees to be represented at all meetings to ensure appropriate external advice is available. This supports the employee's understanding of the process and enables them to fully participate and engage with the school.

The employee may arrange to be accompanied to the appeal meeting by a trade union representative or work colleague. The employee's chosen companion may confer and contribute to the meeting, but may not answer questions on the employee's behalf.

Appeals

Whilst there is no statutory right to an appeal under the applicable legislation, if your flexible working request has been rejected or considered to be withdrawn, you may appeal the decision. If, having spoken to their Headteacher, an employee disagrees with their flexible working application being declined, they should firstly discuss their concerns with their Headteacher. There may be other options that could be considered that would meet both the employee's and the business' needs.

If the employee feels they have not been treated fairly, they can appeal the decision by putting their appeal in writing and clearly explaining their grounds for appeal. This must be completed within 7 calendar days of receiving their outcome and addressed to the Chair of the Local Governing Body of the school within which the employee is based.

A meeting to discuss the appeal will be convened at the earliest opportunity and must be held within 14 calendar days of the appeal being submitted.

The employee must be appealing against:

- their flexible working request being rejected for a reason other than those prescribed by the legislation and detailed in the Decision section;
- their flexible working request was considered withdrawn by the organisation and they have good reason to consider this not to be the case;
- the fact that they do not feel the correct procedure was followed;
- the fact that new evidence/circumstances have come to light that would change the outcome;
- the outcome is inconsistent with how others have been treated.

The employee will be invited to the appeal meeting in writing and will be given at least **5 working days'** notice of the appeal meeting to consider their appeal and any suggestions you have for

resolving the grievance. The employee may be accompanied at the appeal meeting by a trade union representative or work colleague.

The employee must provide copies of any relevant evidence they intend to refer to, at least 2 working days before the hearing.

The employee may arrange to be accompanied to the appeal meeting by a trade union representative or work colleague. The employee's chosen companion may confer and contribute to the meeting, but may not answer questions on the employee's behalf.

Appeal Outcome

The outcome of the appeal may be to overturn or confirm the original decision or to apply a different resolution. The appeal outcome will be confirmed in writing within 14 calendar days of the appeal hearing. There is no further right of appeal.

Minutes of formal meetings will be given to the employee for information and copies of notes, letters and other relevant documentation will be retained on file.

Data Protection

The Trust will comply with the provisions of the Data Protection Act 2018. Employee data will be processed by the Trust in accordance with the principles of that legislation, as necessary for the performance of the contract of employment and/or the conduct of the Trust's business.

The Trust will ensure that personal information about an employee, including information in personnel files, is securely retained.

Roles & Responsibilities

The following roles and responsibilities are mapped out through this process:

Employee's Responsibilities:

- To complete their application form as comprehensively and thoroughly as possible, anticipating any potential problems and suggesting solutions where possible.
- To approach the discussions about their application in a creative and flexible way, seeking to achieve an outcome that is a win-win for themselves and the school.
- To be willing to explore all possible alternatives if the first preference working pattern is not feasible.
- To base discussions purely on the business impact of the proposal, not on the personal reasons for making a request.
- To respond constructively to manager requests to discuss changing a current flexible working pattern which is no longer working for the business.
- To contact their Pensions team for further information and advice.

Headteacher's Responsibilities

- To create an environment where employees can access the flexible working policy when they want to, are comfortable making requests, and know that any application will receive fair consideration.

- To receive applications for flexible working positively.
- To take each application on its own merits and keep an open mind about work patterns that could operate in their team.
- To approach the discussions about their application in a creative and flexible way, seeking to achieve an outcome that is a win-win for the employee and the Trust.
- To objectively review all relevant information in deciding on an application, exploring all options, and acting in accordance with the timescales set out in the policy.
- To ensure that any declines are in line with the policy, explained to the employee and fully documented.
- To receive appeals against flexible working request declines constructively, acting in accordance with the timescales set out in the policy, taking a fresh look at the application from an independent perspective. To focus on finding a positive outcome for both sides, where possible.
- To handle constructively and sensitively the need to discuss with an employee a current flexible working pattern which is no longer working for the business, striving to reach a mutually acceptable solution.

APPENDIX 1: Flexible Working Request Form

Flexible Working Request Form	
Notes for completing the form: This form is provided for those wishing to make an application to work flexibly under the terms of the Flexible Working Policy. Employees should be mindful that with this, as with any other application, the Trust/Academy has the right to refuse a request if there is a good business reason to do so. Remember, you have the right to request flexible working - but not the right to have it. Be aware of the timescales for considering a flexible working request, as set out in the policy. Therefore you are advised to submit your application to your Headteacher well in advance of the date from which you wish the request to take effect. In order for the application to be valid, you must complete all sections of the form. It will help us in considering your request if you provide as much information as you can about your desired working pattern. Once you have completed the form please email to your Headteacher (keeping a copy for your own records). You will receive a response within 28 calendar days of receipt of your application to advise you of the outcome, or to arrange a meeting in order to discuss your request further. If your request is granted, your terms and conditions will be updated to reflect this.	
Name	
Job Title	
Have you completed two flexible working application forms within the last 12 months? YES/NO	
If you have made a flexible working application within the last 12 months, please state the date:	
Please give details of your flexible working request	

Describe your current working pattern (Days/hours/times/weeks worked).

Describe the working pattern you would like to work, be specific (Days/hours/times/Weeks worked)

Start Date

I would like my flexible working request to begin on:

If your request is to be temporary, please give an end date:

I have read and understood the Flexible Working Policy and I confirm my eligibility to apply. I can confirm the details given are correct and wish them to be considered.

Name

Signature

Date

Please now pass the Headteacher in your school.

Note to Headteacher: This is a formal application for flexible working and you should confirm receipt using the confirmation slip below. You have 28 calendar days upon receipt in which to either agree to this request or to arrange a meeting with the employee to discuss this request.

Date application received by the Headteacher:

Headteacher signature:

To be completed by Headteacher

Date of meeting with employee:
Details of discussion:
Decision:
If not agreed, reasons for decision:
Any adjustments to the proposal which were offered to the employee for consideration:

Applications and any appeal must be dealt within 2 months from the date of the application

Date application received	
Date of first meeting	
Date of second meeting (if applicable)	
Date of outcome letter	
Date appeal received (if applicable)	
Date of appeal outcome letter (if applicable)	
Effective date of contract change (if granted)	
Signed: <i>Headteacher</i>	Dated: